

STAFF REPORT
WENATCHEE RACQUET AND ATHLETIC CLUB EXPANSION

TO: City of Wenatchee Hearing Examiner Pro Tem
FROM: City of Wenatchee Community and Economic Development Department
RE: Conditional Use Permit: CUP-15-03
DATE: July 22, 2015

I. GENERAL INFORMATION

Applicant/Owner: Wenatchee Racquet and Athletic Club (WRAC)

Requested Action: On May 22, 2015, Wenatchee Racquet and Athletic Club (WRAC) submitted an application for a conditional use permit to expand the fitness portion of the existing club house building to the south adding approximately 5,000 square feet between two floors and add three new outdoor tennis courts to the immediate west of the existing facility. The interior of the existing building would be renovated to improve locker room facilities and handicap accessibility. Other proposed improvements to the site include a gravel overflow parking lot, sidewalks and pathways to the new tennis courts and a gazebo. New landscaping and storm water mitigation would be added to the site. The subject property is within the Residential Single-Family (RS) zoning district.

Location: The subject property is located at 1913 Skyline Drive; and identified by Assessor's Parcel No.: 22-20-08-430-055

II. SITE INFORMATION

Site Characteristics

The subject property is developed with an existing multi-story building referred to in the application as the club house that contains the athletic facility to be expanded and 4 tennis courts, parking lot, and some landscaping in front of the building and at the entrance. The site west of the building and parking lot was a former orchard and is currently undeveloped. The site gently slopes from the west towards Skyline Drive. The subject property is within the flood plain of No. 2 Canyon and has a drainage that runs from the west side of the property eas shown on the site plan. There are steep slopes to the immediate southeast of the property with shrub-steppe vegetation.

Utilities / Services

Sanitary Sewer:	City of Wenatchee
Domestic Water:	City of Wenatchee
Power/Electricity:	Chelan County P.U.D.
Fire Protection:	Wenatchee Fire Department
Police Protection:	Wenatchee Police Department

Access

Access to the subject site is through an easement from Skyline Drive which has not been improved with curb, gutter, and sidewalk at this location. The applicant has submitted a boundary line adjustment application that is being processed concurrently that will combine the subject property with parcel no. 22-20-08-817-005 and a portion of parcel no. 22-20-08-430-075 so that the subject property has direct frontage on Skyline Drive. The subject property also has frontage on No. 2 Canyon Road which is a county road; however, there is no access developed from this road to the property.

Surrounding Properties

North: Residential properties; zoned Residential Single-Family (RS).

South: A residential property within Chelan County.

East: Skyline Drive with residential properties; zoned Residential Low (RL)

West: An orchard property within Chelan County.

III. APPLICABLE POLICIES AND DEVELOPMENT REGULATIONS

The proposed action is subject to land use policies and provisions of the City of Wenatchee Urban Area Comprehensive Plan and zoning and development regulations of the Wenatchee City Code.

Comprehensive Plan

In addition to the general goals and policies of the Growth Management Act and Wenatchee Urban Area Comprehensive Plan which state growth shall take place where adequate public facilities exist and are able to serve existing and future growth, the following goals and policies set forth in the comprehensive plan are relevant to this development:

Canyons and Foothills – Conserve open space in the foothills surrounding the city and ensure appropriate development in the canyons.

Policy 2: Carefully consider new development in the canyons for impacts from flooding, circulation and other emergencies.

Quality of Life – Support the enhancement of Wenatchee’s built and natural environment as an attraction for community and business growth.

Policy 1: Encourage the development of recreational, arts and educational infrastructure and facilities that meet the community’s and region’s needs.

Policy 2: Encourage a built environment that enhances Wenatchee's natural setting and protects the regional landscape.

Neighborhoods – Support the progression of attractive and safe residential neighborhoods.

Policy 3: Implement a review process for non-residential and multifamily projects within single-family residential districts that allows surrounding residents to comment on potential impacts.

Dark Sky Design – Educate and promote the use of appropriate lighting levels for residential, commercial, and public areas to help reduce sky glow, light trespassing, and up lighting.

Policy 4: Lighting scale, placement and design should facilitate safety while minimizing light impacts on the surrounding neighborhood and night sky.

Policy 6: All signs and lighting (including for streets, buildings, parking areas, and signs) should be designed so that they perform their function without being unduly disruptive to the visual appeal of the area.

Parks and Open Space System – Acquire and develop an interconnected system of multifunctional parks, trails, recreation facilities and open spaces that is attractive, safe and available to all segments of the City's population.

Policy 8: Recognize and support the importance of non-city facilities and programs that assist in meeting the needs of the community for parks, recreation and open space.

Critical Areas – Protect public safety and the ecological functions of critical areas by mitigating development depending on area characteristics.

Policy 1: Ensure any development in critical areas adequately mitigates potential negative impacts associated with the specific conditions.

Definitions

Wenatchee City Code (WCC) Section 10.08.125, defines "Recreation, neighborhood commercial" as land and/or a building which is used for recreational activities by the general public or whose membership is not restricted to persons residing within a specific area. Such facilities shall include, but not necessarily be limited to, tennis and/or racquetball courts, community clubhouses, soccer, basketball, climbing walls, gymnastics, baseball batting cages, swimming pools, and health and exercise spas. Specifically excluded from this definition are go-kart tracks, golf courses, bowling alleys, pool or billiard halls.

Zoning and Development Standards

The subject property is located in the Residential Single-Family (RS) zoning district.

Land Uses: WCC Chapter 10.10

"Recreation, neighborhood" is permitted as a Conditional Use in the RS zoning district.

Residential Development Standards: WCC Section 10.46.020

General dimensional standards in the RS are: 25 foot setback from the front property line plus any required additional public right-of-way; 20 foot rear yard setback; 5 foot side yard setback; maximum building height is 30 feet; and maximum lot coverage is 35 percent.

Conditional Use Permit Requirements and Criteria

All conditional use permit applications must meet the general requirements in WCC 10.65.050 and be evaluated by WCC 10.65.060 "General Criteria". Additionally, the following specific provisions of WCC Section 10.65.240, "Recreation, neighborhood":

- (1) The applicant shall demonstrate that the location, size, height, and design characteristics of the buildings, structures, walls, landscaping and screening, and parking is compatible with the intent of the zoning district and surrounding properties;
- (2) The use shall be limited to streets designated as major and minor arterials or collectors, as shown on the circulation map within the comprehensive plan, as amended;
- (3) The hearing examiner shall ensure that traffic from the proposed use does not significantly impact or alter traffic in the neighborhood. Therefore, a traffic analysis shall be provided;
- (4) Day care facilities and concessions may be allowed as accessory uses; provided, that such facilities do not occupy more than 25 percent of the gross floor area of the facility;
- (5) Parking shall be provided in accordance with Chapter 10.60 WCC, as amended. A 20 percent reduction in required parking may be granted, provided the applicant can show that public transit will be a viable alternative to driving to the facility and/or the facility serves the neighborhood in which it is located and additional parking is not necessary to support the facility;
- (6) Landscaping and Screening. The development shall comply with Chapter 10.62 WCC, Landscaping and Screening, as amended;
- (7) Signs. One monument sign shall be permitted:
 - (a) In no case shall the height exceed six feet;
 - (b) In no case shall the sign exceed 32 square feet in area;
 - (c) In no case shall the maximum copy area exceed 26 square feet;
 - (d) The sign shall observe the height limitations that apply to fences in instances where the sign is located in a required front yard setback;
 - (e) The sign shall not be illuminated;
 - (f) It shall be demonstrated that any proposed signage is compatible with the surrounding area;
- (8) The applicant shall ensure that site lighting contributes to the character of the site and does not disturb adjacent development, or potential adjacent development;

(9) Hours of operation may be restricted to assure compatibility with surrounding development;

(10) The applicant shall ensure that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood;

(11) Minimum Lot Size. Such facilities shall be located on a parcel no less than one acre in size and shall have adequate buffers from adjoining property to minimize impacts and to ensure compatibility with adjoining uses.

Shorelines: The subject site is outside of the 200' shoreline jurisdiction.

Resource Lands and Critical Areas: The subject site is within the flood zone and the primary zone of the wildland urban-interface. There is an erosion hazard adjacent to the subject which will partially be on the subject property upon completion of the boundary line adjustment.

IV. PUBLIC NOTICE AND ENVIRONMENTAL REVIEW

Application Submitted:	May 22, 2015
Determination of Completeness issued:	June 5, 2015
Notice of Application:	Notice was mailed to property owners/taxpayers within 450 feet of the subject property, posted on the subject property, and referred to relevant agencies on June 8, 2015.
Notice of Public Hearing:	Notice was mailed to property owners/taxpayers within 450 feet of the subject property on July 9, 2015 and published in the Wenatchee World newspaper on July 10, 2015.
Public Hearing:	The public hearing is scheduled for July 22, 2015 at 3:00 p.m. at Wenatchee City Hall, Council Chambers, located at 129 S. Chelan Avenue, Wenatchee, WA.

The public and relevant agencies have been given an opportunity to comment on the proposal. Agency and public comments have been included as attachment "A".

Agency Comments:

- The WA Department of Ecology submitted comments date June 17, 2015 recommending soils be sampled and analyzed for contaminants and stating a NPDES Construction Stormwater General Permit is required. The applicant has been forwarded these comments.
- The Chelan County PUD Customer Service Engineer stated in an email received June 15 that there was no comment at this time; however, the applicant will need

to make application if additional electrical construction is needed. The applicant has been provided this information.

- The City of Wenatchee Development Review Engineer has submitted a report dated July 14, 2015 identifying required transportation and street frontage improvements and the availability of storm, water, and sewer. Staff recommends that the report be identified as a condition of approval, requiring verification of compliance of the applicable standards and the recommended conditions of approval.

Public Comments:

- A comment was received from Kathleen Heffner stating concerns with increased traffic impact specifically for pedestrian and bicyclist safety on Skyline Drive. These comments are addressed below in the review of consistency with development requirements and in the Development Review Engineer's comments as well.

Environmental Review includes State Environmental Policy Act (SEPA)

A SEPA checklist was prepared on May 22, 2015 was noticed using the optional Determination of Non-Significance (DNS) process in WAC 197-11-355 and issued a DNS on July 6, 2015.

VI. PROJECT ANALYSIS

In review of this proposal it is important to consider the goals and policies of the comprehensive plan, applicable city code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff's analysis and consistency review for the subject application.

Comprehensive plan consistency

The application is proposing to expand a portion of the existing club building and add three new outdoor tennis courts to the immediate west of the existing facility. As part of this review staff has considered how the application materials have addressed the existing on-site drainage, flood hazard, and geologic hazard identified on the subject property to ensure that appropriate mitigation measures included with the development consistent with Policy 2 of Canyons and Foothills and Policy 1 of Critical Areas.

The proposed expansion will increase recreational opportunities existing on the site and compliment the surrounding natural environment by leaving the existing natural vegetation in place on the south side of the property and by adding a mix of dryland vegetation around the perimeter of the new outdoor courts. These improvements to the subject property are consistent with Policies 1 and 2 of Quality of Life.

The subject property is located within a residential neighborhood and as part of the public process notice was sent to surrounding property owners within 450 feet to provide an opportunity for residents to submit comments related to the proposed project. The notice area was expanded from the required 350 foot buffer for surrounding properties to ensure all neighbor impacted by the development received notice and were provided the opportunity to comment. Comments received from the public are consider as part of this staff report consistent with Policy 3 of Neighborhoods.

To ensure consistency with Policies 1 and 6 of Dark Sky Design staff is recommending as a conditional of approval that all lighting installed at the entrance, exterior of the building, and outdoor courts is done so in a manner to not trespass on to surrounding properties and that lighting for exterior courts should not exceed hours of operation.

Consistency with the provisions of the Title 10 Zoning

Development Standards WCC Section 10.46.020:

The proposal includes expanding a portion of the existing building toward the south property line. The applicant has submitted a boundary line adjustment application that is being processed concurrent with this application. Upon completion of the boundary line adjustment the subject property will have two front yards which will allow the south property line to be considered a side property with a 5 foot required setback. Setbacks will be verified at the time of building permit application. The application materials indicate that the tallest portion of the building will be 30 feet in height consistent with the maximum allowable height within the RS zoning district.

General Regulations WCC Chapter 10.48:

Pedestrian connections, WCC Section 10.48.090, are required for building entrances from adjacent public streets and internal parking locations. The proposal does not show that a pedestrian connection will be added to the subject property as part of this project. Staff is recommending as a condition of approval that a pedestrian connection is identified on the site plan submitted with the building permit application to be approved prior to issuance.

Refuse storage, WCC Section 10.48.240, is required to be in a dumpster, not in a front yard areas and generally not visible to surrounding streets or adjoining properties. Application materials indicate that a dumpster will be in an enclosure with landscaping and not visible to surrounding streets or properties.

Off-Street Parking WCC Chapter 10.60:

Vehicle parking is required to be to the rear or side of buildings. The parking area is existing to the north side of the building and the site plan shows that 102 stalls would be provided in this existing parking lot.

The required number of parking stalls is based on the land use as an athletic club which is 4 spaces per 1,000 square feet of gross floor area (GFA), excluding tennis or racquetball

courts; and 2 spaces per tennis or racquetball court. The parking notes on the site plan indicate that the GFA upon completion of the addition would be 20,775 square feet with 7 courts; therefore 97 stalls are required. The proposed parking meets current requirements and will be verified at the time of building permit application.

In addition, the application is purposing a gravel overflow parking area to include approximately 26 stalls. This overflow parking area is being reviewed as a part of this conditional use permit.

Landscaping WCC Chapter 10.62:

The applicant has indicated on the site plan that landscaping would be provided in the hatched area to include shade trees and ground cover at the asphalt parking area, perimeter turf, and landscaping stone and dryland vegetation mix at the courts perimeter. Staff is recommending as a condition of approval that a landscape plan be submitted that addresses all applicable requirements of WCC 10.62.

Resource Lands and Critical Areas Development WCC Chapter 12.08

The subject property is within an identified flood plain and geologically hazard area and is subject to the requirements of this chapter. The applicant has submitted as part of the application materials a Stormwater Pollution Prevention Plan (SWPPP) that includes a Stormwater and Flood Mitigation Plan and an Engineering Geologic Hazard Assessment report. Staff is recommending as a conditional of approval that the proposed development implements the Stormwater and Flood Mitigation Plan and follows all recommendations of the Engineering Geologic Hazard Assessment report.

Wildland-Urban Interface Standards WCC Chapter 3.36

The subject property is within the primary zone of the wildland-urban interface. The proposed development is required to comply with all applicable requirements of this chapter at the time of building permit application.

Consistency with the Conditional Use Criteria and specific criteria for Recreation, neighborhood – WCC 10.65.240

The general criteria for conditional use permits requires that the proposal is compatible with adjacent uses and will protect the character of the surrounding area, will not result in the creation of nuisances to the public and/or nearby properties and existing uses, and will not result in undue adverse impacts affecting the public health, safety, and welfare. The WRAC is an existing use on the subject property and this proposal is to expand those existing facilities. The lot size is approximately 14 acres. The building expansion and new court location would not be placed closer to any of the surrounding residences. If any mechanical equipment is purposed to be located on the roof at the time of building permit application staff is recommending that it is screened to mitigate any noise and/or visible impacts to surrounding properties.

The WRAC is accessed from Skyline Drive through an easement; however, a boundary line adjustment is being concurrently processed that would provide the subject property with frontage on Skyline Drive which is a collector as shown on the circulation map within the comprehensive plan. Additionally, the subject property has frontage on No. 2 Canyon Road which is also a collector street as shown on the circulation map with the comprehensive plan. This application has been reviewed above for consistency with development standards for the RS zoning district, parking, and landscaping standards and as conditioned will meet these requirements and be compatible with the surrounding properties. A monument sign is already existing at the front entrance and the application materials do not indicate that any modification would be made to the sign. To further ensure that this use continues to be compatible with surrounding properties, staff is recommending as conditions of approval that all lighting is installed in a manner so that it does not trespass onto surrounding properties and hours of operation will remain the same of 5:00 AM to 10:00 PM on weekdays (Monday – Friday) and 7:30 AM to 8:00 PM on weekends (Saturday – Sunday). Daycare and concessions are already existing with the current use and are not proposed to be expanded under this application.

It is presumed by staff that events occurring on site with the outdoor tennis courts may cause noise impacts to the surrounding neighborhoods. Any noise create on site is required to comply with WCC Chapter 6A.40 Public Disturbance Noises and WAC 173-60-040 Maximum permissible environmental noise levels. Staff is recommending as a conditional of approval that noise is monitored throughout events to comply with both the city and state codes.

As part of the recommended conditions of approval provide by the City of Wenatchee Development Review Engineer, a pedestrian connection shall be constructed along the frontage of Skyline Drive to include sidewalks, driveway approach(es), curb, and gutter that connects to the existing sidewalk north of the entrance. The improvements to the frontage of Skyline Drive will need to accommodate the vehicle turns to the satisfaction of the City Engineer. Additionally, the existing 'Yield' and 'Do Not Enter' signs will be required to be upgraded to MUTCD standards.

The subject property is developed with an existing parking area that meets the code requirements for number of stalls based on the proposed expansion. The site plan indicated that a gravel overflow parking area is to be included as part of this development. This proposed overflow parking area is similar in use to a temporary parking facility. As part of the recommended conditions of approval the City of Wenatchee Development Review Engineer has stated that this parking area needs to be developed in compliance with WCC 10.65.315, Parking facility, temporary. Further staff is recommending as a condition of approval that a gate/barrier be installed to limit the access to the overflow parking area to only when there is an event requiring the additional parking. If they applicant intends to use this parking area on a more regular basis it will be required to be developed to be consistent with the requirements of WCC 10.60.030.

VII. RECOMMENDATION

As conditioned below, this application does not appear to be detrimental to the general public health, safety or welfare and meets the basic intent and criteria associated with Title 10 of the Wenatchee City Code. Staff recommends **approval** of CUP-15-03 subject to the following findings of fact, conclusions of law, and suggested conditions:

This recommendation is based on the following findings of fact:

1. An application was submitted by the Wenatchee Racquet and Athletic Club (WRAC) on May 22, 2015 for a Conditional Use Permit: Recreation, neighborhood.
2. The application is for the purpose of expanding the fitness portion of the existing club house building to the south adding approximately 5,000 square feet between two floors and add three new outdoor tennis courts to the immediate west of the existing facility.
3. The application has been processed as a Type III quasi-judicial review for conditional use permits pursuant to WCC 13.09.050; a public hearing is required for the application – to occur July 22, 2015.
4. A pre-application meeting was held on March 5, 2015.
5. The subject property is located within the RS zoning district.
6. The Wenatchee Urban Area Comprehensive Plan land use designation is RS.
7. The proposed action is located at 1913 Skyline Drive; and identified by Assessor's Parcel No.: 22-20-08-430-055.
8. A boundary line adjustment application has been submitted to combine the subject property with parcel no. 22-20-08-817-005 and a portion of parcel no. 22-20-08-430-075 so that the subject property has direct frontage on Skyline Drive.
9. The subject property is approximately 14.25 acres in size.
10. The applicant/owner is the Wenatchee Racquet and Athletic Club (WRAC), 1913 Skyline Drive, Wenatchee, WA 98801.
11. Recreation, neighborhood is permitted as a Conditional Use in the RS zoning district.
12. The proposal is consistent with the provisions of Title 10 Zoning.
13. The subject property is within an identified flood plain and geological hazard area.
14. The subject property is within the primary zone of the wildland-urban interface.
15. A SEPA checklist was prepared on May 14, 2015 was noticed using the optional Determination of Non-Significance (DNS) process in WAC 197-11-355 and issued a DNS on June 26, 2015. The proposal is consistent with the goals and policies of the Wenatchee Urban Area Comprehensive Plan.
16. The Wenatchee Hearing Examiner Pro Tem conducted a public hearing on July 22, 2015.
17. Agency comments were received from the City of Wenatchee Development Review Engineer in a report dated July 14, 2015 identifying that there are no recommended conditions of approval from engineering.

18. Agency comments were received from WA Department of Ecology, Chelan County PUD Customer Service Engineer, and the City of Wenatchee Development Review Engineer.
19. Public comments were received from Kathleen Heffner.
20. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

This recommendation is based upon the following suggested conclusions:

1. The City of Wenatchee Hearing Examiner has been granted the authority to render this decision pursuant to WCC 11.04.08.
2. As conditioned, the proposal is consistent with the intent, purposes, and regulations of the Wenatchee City Code and Comprehensive Plan.
3. As conditioned, this proposal meets the general and specific conditional use criteria for WCC 10.65.080 "Recreation, neighborhood".
4. The conditional use permit will run with the land.
5. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
6. Comments from the reviewing agencies and public have been considered and addressed where appropriate.
7. As conditioned, the proposal will not be significantly detrimental to the public health, safety and welfare; diminish the value of nearby property or improvements; or disturb persons in the use of property unless the conditional use is a public necessity.
8. As conditioned, the proposal has been designed to minimize adverse effects on neighboring properties, to include at minimum the effects of lighting, transportation, noise, odor, dust, and appearance.
9. The conditions of approval are the minimum necessary to ensure the proposal will comply with all applicable laws and regulations.
10. All conditions place upon the proposed use are conditions that are measurable and can be enforced and monitored.
11. Public use and interests will be served by approval of this proposal.
12. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

This recommendation is based upon the following suggested conditions of approval:

1. The project shall proceed in substantial conformance with the plans and application materials on file except as amended by the conditions herein.
2. The applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.
3. Any lighting associated with the completed project shall not be installed to shine on adjoining properties.
4. Lighting associated with the outdoor courts will not exceed hours of operation.

5. Verification of compliance of the applicable standards and the recommended conditions of approval within the City of Wenatchee Development Review Engineer's report prepared by Donald Nelson, dated March 23, 2015 prior to the issuance of final occupancies for the building or use of proposed outdoor facilities.
6. Any work or improvements in the public right-of-way shall require review and approval by the City of Wenatchee Public Works department.
7. The conditional use permit only applies to 1913 Skyline Drive; and identified by Assessor's Parcel No.: 22-20-08-430-055.
8. The WRAC shall maintain compliance with the standards of WCC Title 10 Zoning and conditions of the conditional use permit at all times. Violation of the terms of the permit and/or requirements of the WCC not expressly modified by the permit shall be processed as a violation pursuant to WCC Chapter 13.13 Enforcement and Penalties.
9. A landscape plan meeting all applicable requirements of WCC 10.62 shall be submitted for review and approval for the completion of the commercial building permit process for this proposal.
10. A pedestrian connection shall be identified on the site plan submitted with the building permit application to be approved prior to issuance.
11. Hours of operation shall be maintained of 5:00AM to 10:00PM on weekdays (Monday – Friday) and 7:30 AM to 8:00 PM on weekends (Saturday – Sunday).
12. A gate/barrier be installed to limit the access to the overflow parking area to only when there is an event requiring the additional parking. At the time that use of the overflow parking exceeds weekly use (i.e. used for events every weekend) it will be required to be developed to be consistent with the requirements of WCC 10.60.030.
13. The boundary line adjustment must be recorded prior to issuance of the building permit.
14. The proposed development shall comply with the Stormwater and Flood Mitigation Plan provided by C. Brian Wengreen P.E. dated May 18, 2015
15. The proposed development shall comply with all recommendation of the Engineering Geologic Hazards Assessment provided by Nelson Geotechnical Associates, Inc. dated April 28, 2015.
16. Any mechanical equipment is purposed to be located on the roof at the time of building permit application is required to be screened to mitigate any noise and/or visible impacts to surrounding properties
17. Noise create on site shall be monitored throughout events to ensure compliance with WCC Chapter 6A.40 and WAC 173-60-040.

Respectfully Submitted,



Kirsten Larsen
Associate Planner